

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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SANDRA L. MACAULAY, AS ADMINISTRATRIX  
FOR THE ESTATE OF CHRISTOPHER A.  
MACAULAY,

CIVIL ACTION  
NO. 07 CA 10864 NG

Plaintiff

VS.

MASSACHUSETTS BAY COMMUTER  
RAILROAD COMPANY,

Defendant

FEBRUARY 14, 2008

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AFFIDAVIT

I, Scott Perry, am over the age of twenty-one and understand the obligations of an oath.

I represent the plaintiff in this action.

On January 18, 2008, I conferred in good faith with defendant's attorney, Colleen Cook, from 2:30 p.m. to 3:40 p.m. and again on February 13, 2008 from 3:05 p.m. to 3:25 p.m. in an effort to resolve the parties' differences with regard to Interrogatories 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 13, 14, 15, 16, 20 and 21 and Requests 1, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 31, 32, 34, 46, 37, 38, 39, 40, 41, 42, 43 and 44. The parties were not able to resolve their differences.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY.

  
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Scott E. Perry

Subscribed and sworn to before me this 14th day of February, 2008.

  
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Notary Public

MARILYN A. DONROE -Notary Public  
My Commission Expires 2/28/2010